

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

TRUSTEES of the CHICAGO REGIONAL COUNCIL	)	
OF CARPENTERS PENSION FUND et al.,	)	
	)	
Plaintiffs,	)	Case No. 19-cv-1637
	)	
	)	Judge Thomas M. Durkin
v.	)	
	)	
TABITHA VENTURES, INC.,	)	
	)	
Defendant.	)	

Motion for Supplemental Judgment

The Plaintiffs, by their attorney, Daniel P. McAnally, moves this Court for an entry of an order of Supplemental Judgment and in support state as follows:

1. On April 29, 2019, this Court entered a Judgment in favor of the Plaintiffs and against the Defendant for \$27,310.27. The Judgment amount represented unpaid ERISA contributions attorney's fees, liquidated damages and interest. (Exhibit A)
2. The Judgment also awarded Plaintiffs their attorney fees and costs incurred in their attempts to collect on this judgment in the post-judgment supplemental proceedings. (Exhibit A)
3. Through their collection efforts, the Plaintiffs have incurred an additional 81.50 hours of attorney billings at the rate of \$200.00, \$215.00 and \$245.00 an hour totaling \$17,060.50. (Declaration of Daniel P. McAnally, Exhibit B)
4. The additional attorney's fees sought are primarily for engaging in post-judgment proceedings, issuance of Citations to Discover Assets and other forms of Discovery to satisfy the outstanding judgment amount and updating the trustees as to our collection efforts.

5. In addition to award of attorney fees in the Judgment Order, Defendant is obligated to pay the attorney fees incurred by the Plaintiffs pursuant to 29 U.S.C. §1132 (g)(2)(D). *Laborers Health and Welfare Trust Fund v. Advanced Lightweight Concrete Co.*, 484 U.S. 539, 547, 98 L. Ed. 2d 936, 108 S. Ct. 830 (1988) ("The special remedy against employers who are delinquent in meeting their contractual obligations that is created by §502(8)(2) includes a mandatory award of ... attorney's fees and costs."); *Plumbers' Pension Fund v. Domas Mechanical Contractors, Inc.*, 778 F.2d 1266, 1271 (7th Cir. 1985) (stating that the award of reasonable attorney's fees is "nondiscretionary").

6. Throughout the course of this litigation, the Defendant has never appeared nor has complied with the citation to discover assets. The Defendant also continues to do business and transfer assets in violation of the pending citation.

7. Finally, the Defendant has made no voluntary payments to satisfy the judgment.

Wherefore, Plaintiffs pray for an entry of an order for Supplemental Judgment in the amount of \$17,060.50.

Respectively submitted,

s/ Daniel P. McAnally

Attorney for Plaintiffs

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